

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
July 13, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation – Rev. Preston Barrett, Retired Christian Minister
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Recognition of LaSalle University Students from Wichita's Sister City, Cancun, Mexico
- Recognition of 50th Anniversary of Lincoln Heights Village Shopping Center
- Proclamations

UNFINISHED BUSINESS

1. Cowskin Creek Basin Flooding. (Districts IV and V)

A City/County Task Force led by Council Member Bob Martz and Commissioner Tom Winters has been formed to review the report presented to the Wichita City Council and Sedgwick Commission by Professional Engineering Consultant on June 1, 1999. The Task Force is forwarding its recommendation to both governing bodies for consideration.

RECOMMENDED ACTION: Authorize Staff to solicit professional services.

2. Noise Ordinance.

A request has been made to revise the current Ordinance pertaining to noise levels.

RECOMMENDED ACTION: Approve the amendments.

NEW BUSINESS

3. Petition to Pave Bebe and Irving. (District IV)

A Petition has been submitted that represents 50% of the improvement district.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution; and authorize Staff to select a design engineer.

4. Petition to Pave 32nd Street North, West of Fairview. (District VI)

A Petition has been submitted that represents 57.7% of the improvement district.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution; and authorize Staff to select a design engineer.

5. Public Hearing and Issuance of Industrial Revenue Bonds – Lee Aerospace, Inc. (District II)

Lee Aerospace has requested Industrial Revenue Bonds in an amount not-to-exceed \$4.5 million. Bond proceeds will be used to finance an expansion of manufacturing facilities.

RECOMMENDED ACTION: Close the public hearing; approve 100% tax exemption on bond financed property; adopt the Ordinance; and authorize the necessary signatures.

6. Neighborhood Preservation (Community Nuisance Code).

At the direction of City Council, Staff collected comments and information from the CPOs and neighborhood associations in order to form consensus on how best to address neighborhood preservation issues. Amendments to the Community Nuisance Code will be reviewed.

RECOMMENDED ACTION: Approve first reading of the Ordinance; refer the proposed amendments to the Unified Zoning Code to MAPC for approval; and defer the amendments to Sections 20.04.075 and 11.52.030 pending approval of amendments to the Unified Zoning Code.

7. Floor Finishing for CityArts Donated by the DeVore Foundation.

The DeVore Foundation has donated the costs of carpeting and finishing the floors in the galleries and gift areas at CityArts.

RECOMMENDED ACTION: Accept the donation.

8. Art Museum Computer System.

The Wichita Art Museum's information management system is in need of substantial modifications. The Museum is seeking additional funding from the City to address these computer issues.

RECOMMENDED ACTION: Participate in the cost of the computer system.

9. Presentation and Public Comment on Proposed 2000-2001 Annual Operating Budget.

RECOMMENDED ACTION: Take comments under advisement.

(11:00 am)

10. Repair or Removal of Dangerous and Unsafe Structures.

A public hearing will be conducted to address the following properties:

3026 E. Stadium	(District I)
1812 Heiserman	(District VI)
2223 N. Fairview (front)	(District VI)
2304 N. Jackson	(District VI)
2527 N. Arkansas	(District VI)
3243 N. Market	(District VI)
3245 N. Market (front)	(District VI)
411 N. Dodge	(District IV)

RECOMMENDED ACTION: Close the public hearing; adopt the Resolutions.

11. Employee Residency Requirement.

A modification of the City's residency policy is proposed.

RECOMMENDED ACTION: Modify the existing policy.

(7:00)

12. A 99-9 - The City of Wichita Seeks the Annexation of Land Generally Located North and South of Harry, Between Webb Road and 127th Street North.

On May 11, 1999, the City Council adopted a Resolution establishing July 13, 1999, 7:00 p.m., at the East Point Church of Christ, 747 N. 127th Street East, as the time and place for the public hearing to consider this annexation.

RECOMMENDED ACTION: Close the public hearing; approve the annexation; and adopt the Ordinance.

CITY COUNCIL AGENDA

13. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

14. Appointment to CPO Northwest Neighborhood Council. (District V)

Judith K. Weigel, 700 Redbard Lane, has been nominated by CPO Council 5 to fill a vacancy in subdistrict 5.2.

RECOMMENDED ACTION: Make the appointment.

15. Approval of Council Member Gale's travel, September 16-18, 1999, to Aurora, Colorado, for National League of Cities Public Safety and Crime Prevention Steering Committee meeting.

RECOMMENDED ACTION: Authorize the travel expenses.

15a. Approval of Mayor Knight's Travel, July 14-16, 1999, to San Francisco, California, for National League of Cities Advisory Committee Meeting.

16. Proclamations:

Project ReDirectory Month
Drums Across Kansas Day

RECOMMENDED ACTION: Authorize issuance of the Proclamations.

CONSENT AGENDA

17. Reports of the Board of Bids and Contracts Dated July 6, 1999, and July 12 , 1999.

RECOMMENDED ACTION: Receive and file the reports; approve the Contracts
and authorize the necessary signatures.

18. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
Marla Hayden	Buck's Barbeque, Inc.*	8710 West Central
Daryl Moren	Club Billiards*	925 West Douglas

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New Operator

1999

(Consumption on Premises)

Mike Prekel

Residence Inn by Marriott,
Wichita East*

411 South Webb Road

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

19. Plans and Specifications:

- a. 1999 sanitary sewer rehabilitation program - Phase D - east of Hydraulic, north of Douglas (468-83006 /620265/669390) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (District I)
- b. 1999 sewer reconstruct program Phase 4 - north of 13th Street North, east of Hydraulic. (468-83007 /620266/669388) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (District I)
- c. College Hill School parking/loading bay to serve College Hill Addition - First Street, east of Hillside. (472-83075/710211/410073) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 11/10/98. (District II)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., July 23, 1999.

20. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

21. Preliminary Estimates:

- a. Water distribution system to serve Janzen Second Addition - north of 31st Street South, east of West Street. (448-89386/734926/654321) Does not affect existing traffic. City Council approval date: 6/8/99. (District IV) - \$15,000.00
- b. Sewer response plan; cementitious lining of brick manholes (1999-Set 2) - south of Harry, east of Oliver. (468-82780/620259/669384) Traffic to be maintained using flagpersons and barricades. City Council approval date: 1/26/99. (District III) - \$61,720.00
- c. Douglas, Main to Topeka and Topeka, Douglas to William; new water main in Douglas between Main and the east side of Topeka; and new water main in Topeka between Douglas and William. (472-82655/448-88965 /706473/636019/405201/778150) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/6/98 and 1/9/96. (District IV) - \$3,564,901.16

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- d. Lateral 114, Dry Creek Sewer 2, Sanitary Sewer #12 to serve Davis Mt. Vernon Estates - north of Mt. Vernon, east of Hillside. (468-82764/743796/480484) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 8/25/97. (District III) - \$11,070.00
- e. 32nd Street North from the east line of Coolidge to the west line of Porter Wilfred E. Wheeler's Replat Addition. (472-83020/765479/490649) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/20/98. (District VI) - \$99,900.00
- f. Lateral 10, Sanitary Sewer 12 to serve Sunnyside Village Addition - north of Orme, west of Lorraine. (468-82850/743792/480480) Does not affect existing traffic. City Council approval date: 2/23/99. (District I) - \$28,000.00
- g. Water distribution system to serve Sunnyside Village Addition - north of Orme, west of Lorraine. (448-89278 /734912/470582) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 2/23/99. (District I) - \$37,000.00
- h. (Amended preliminary estimate) Curtis Street to serve Eck Fourth, Bratcher Second, Bob Carter, Donna's Third Additions & R. A. Morris Tracts - south of 13th Street North, east of Hoover. (472-82809/764498/490552) City Council approval date: 7/13/99. - \$22,140.00

RECOMMENDED ACTION: Approve and file.

22. Statements of Cost:

- a. Improving Monroe Circle in J. W. Russell Second Addition - west of Tyler Road, north of Harry. Total cost - \$166,966.00 (plus idle fund interest - \$7,102.50, plus temporary note financing - \$3,712.50). Financing issued at this time - \$177,781.00. (765065/472-89252/490-608)
- b. Improving 19th Street from Santa Fe to Mosley, Viola Addition - south of 21st Street North, west of Washington. Total cost - \$86,760.00 (plus idle fund interest - \$2,780.00, plus temporary note financing - \$1,800.00). Financing issued at this time - \$91,340.00. (763649/472-82715/490-467)
- c. Improving Curtis Street to serve Eck Fourth, Bratcher Second, Bob Carter, Donna's Third Additions and R. A. Morris Tracts - south of 13th Street North, east of Hoover. Total cost - \$22,140.00 (plus idle fund interest - \$987.08, plus temporary note financing - \$658.92). Financing issued at this time - \$23,786.00. (764498/472-82809/490-552)
- d. Improving Decel Lane on the west side of Meridian to serve YMCA South Addition - west of Meridian, north of I-235. Total cost - \$115,927.00 (plus idle fund interest - \$1,830.50, plus temporary note financing - \$2,362.50). Financing issued at this time - \$120,120.00. (765289/472-82951/490-630)
- e. Improving alley between Main and Market from Eighth to Ninth Streets North. Total cost - \$52,219.00 (plus idle fund interest - \$1,973.00, plus temporary note financing - \$1,125.00). Financing issued at this time - \$55,317.00. (764803/472-82913/490-582)
- f. Improving Hickory, Birch, Azure, Azure Circles; and sidewalk to serve Buckhead Third Addition - north of Central, west of 119th Street West. Total cost - \$228,213.00 (plus idle fund interest - \$4,431.97, plus temporary note financing - \$4,838.03). Financing issued at this time - \$237,483.00. (765123/472-82946/490-614)

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- g. Improving 21st Street North left turn lane from the west line of Lot 1 to the west line of Lot 5, Block 6 to serve Sterling Farms Addition - on 21st Street North, west of Tyler. Total cost - \$72,988.00 (plus idle fund interest - \$1,879.16, plus temporary note financing - \$8,237.84). Financing issued at this time - \$83,105.00. (762591/472-81892/490-362)
- h. Improving Cedar Downs Circle from the north line of the Plat, south to and including the cul-de-sac and; Cedar Downs Court from the east line of Cedar Downs Circle, north and east to and including the cul-de-sac, The Havens Addition - south of Central, west of 119th Street West. Total cost - \$124,558.00 (plus idle fund interest - \$4,198.93, plus temporary note financing - \$2,543.07). Financing issued at this time - \$131,300.00. (765396/472-83015/490-641)
- i. Improving Cooper from the north line of Lot 7, Block 7, south to the south line of Lot 4, Block 7, and; Elmwood from the east line of Cooper, east and north to the north line of Lot 15, Block 4, Pebblebrook Addition - north of Pawnee, west of Webb Road. Total cost - \$226,085.00 (plus idle fund interest - \$7,376.00, plus temporary note financing - \$4,950.00). Financing issued at this time - \$238,411.00. (765107/472-82959/490-612)
- j. Improving 11th Street to serve Eck Fourth, Bratcher Second, Bob Carter, Donna's Third Additions and R. A. Morris Tracts - south of 13th Street North, east of Hoover. Total cost - \$82,763.00 (plus idle fund interest - \$3,488.20, plus temporary note financing - \$3,223.80). Financing issued at this time - \$89,475.00. (764464/472-82810/490-549)
- k. Improving Graber Circle; Wildwood Circle; 29th Street Circle; to serve Custer Addition - south of Pawnee, west of Meridian. Total cost - \$208,710.00 (plus idle fund interest - \$6,457.75, plus temporary note financing - \$4,720.25). Financing issued at this time - \$219,888.00. (765370/472-82984/490-639).
- l. (First partial) estimate of cost for Gilbert & Mosley redevelopment district - \$4,300,000, less financing previously issued - \$0. Financing to be issued at this time - \$4,300,000. (148007/734-000)

RECOMMENDED ACTION: Approve and file.

23. Petitions for Public Improvements:

- a. Paving, sanitary sewer and water distribution systems to serve Forest Lakes West Addition – north of 29th Street North, east of Tyler. (District V)
- b. Construct traffic signal at intersection of Anna and Maple. (District IV)

RECOMMENDED ACTION: Approve the Petitions; and adopt the Resolutions.

24. Minutes of Advisory Boards/Commissions:

Board of Health, 6-10-99
Board of Code Standards and Appeals, 6-7-99
Board of Park Commissioners, 6-14-99
CPO Northeast Council 1, 6-14-99
CPO Northeast Council 1, 6-28-99
CPO Southeast Council 3, 6-24-99

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CPO Southwest Council 4, 6-24-99

CPO Northwest Council 5, 6-16-99

CPO Northwest Central 5, 6-30-99

Deferred Compensation Board of Trustees, 6-17-99

Wichita Employees' Retirement System, 5-26-99

Wichita Historic Preservation Board, 5-10-99

Wichita-Sedgwick County Arts and Humanities, 6-10-99

Wichita Transit Advisory Board, 5-27-99

RECOMMENDED ACTION: Receive and file.

25. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

26. Agreements/Contracts:

- a. Brooks Landfill – professional services agreement for a radioactive waste program. (District V)
- b. Art Museum expansion project. (District VI)
- c. Ralph Wulz Tennis Center Pro Shop and plaza renovation. (District VI)
- d. Community Housing Development Organization (CHDO) Development Contract for Power Community Development Coalition (CDC).

RECOMMENDED ACTION: Approve the Agreements/Contracts; and authorize the necessary signatures.

27. Supplemental Agreements:

- a. Staking and construction engineering services for Garden Meadow Addition – north of Douglas, east of 127th. (District II)
- b. Staking and construction engineering services for Forest Lakes Addition – north of 29th Street North, west of Ridge. (District V)

RECOMMENDED ACTION: Approve the supplemental agreements; and authorize the necessary signatures.

28. Grant of Easement - Presbyterian Manors, Inc.

RECOMMENDED ACTION: Adopt the Resolutions; and authorize the necessary signatures.

29. Contractual Services for Monitoring Special Liquor Tax Funds.

RECOMMENDED ACTION: Approve the Contract; and authorize the use of funds.

30. Grant Application for Kansas Emergency Shelter.

RECOMMENDED ACTION: Approve the grant application and receipt of funds;
and authorize the necessary signatures.

31. Local Law Enforcement Block Grant 1997 – Budget Revisions.

RECOMMENDED ACTION: Approve the budget.

32. Local Law Enforcement Block Grants.

RECOMMENDED ACTION: Appoint the advisory committee; authorize execution of
the grant application and receipt of funds.

33. Change Orders:

- a. University Plaza project. (District I)
- b. Utility contractors.

RECOMMENDED ACTION: Approve the change orders; and authorize the necessary
signatures.

34. Capital Project Initiation – Wichita Airport Authority:

- a. Jabara apron and taxiways.
- b. Reconstruct Jabara road (design phase).
- c. Terminal parking structure (demand analysis).

RECOMMENDED ACTION: Adopt the Resolutions.

35. Phone Equipment for the New Storage, Administration and Maintenance Facility - Wichita Transit.

RECOMMENDED ACTION: Approve the purchase.

36. Property Acquisition:

- a. Portion of 8501 East 13th Street North for the improvement of 13th Street from Rock Road to the City limits. (District II)
- b. Access rights to Bayley from 1241 South Broadway for the Bayley Street rail corridor improvement project. (District I)
- c. Land to provide access to 1241 South Broadway for the Bayley Street rail corridor improvement project. (District I)

RECOMMENDED ACTION: Approve the budgets and Contracts; and authorize the necessary signatures.

37. Sale of Vacant Surplus Lot at 8352 East Morris. (District II)

RECOMMENDED ACTION: Approve the sale of property and Contract; and authorize the necessary signatures.

38. Surplus Parcel Located Near 521 South Roosevelt. (District II)

RECOMMENDED ACTION: Declare the property as surplus; and designate as available for sale to the general public.

39. Lease of Property at 505 South Webb. (District II)

RECOMMENDED ACTION: Approve the lease; and authorize the necessary signatures.

40. Street Resolution #4-99.

RECOMMENDED ACTION: Adopt the Resolution.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*Consent Item

- *41. V-2173 - Request to Vacate a Portion of a Building Setback Located North of 21st Street and East of Greenwich.
(District II)

MAPC Recommendation: Approve Vacation of a portion of a building setback.

Staff Recommendation: Approve Vacation of a portion of a building setback.

RECOMMENDED ACTION: Approve the Vacation Order; and authorize the necessary signatures.

- *42. V-2176 - Request to Vacate a Portion of a Building Setback Located South of Central and West of Edgemoor.
(District II)

MAPC Recommendation: Approve Vacation of a portion of a building setback.

Staff Recommendation: Approve Vacation of a portion of a building setback.

RECOMMENDED ACTION: Approve the Vacation Order; and authorize the necessary signatures.

- *43. V-2177 - Request to Vacate 10 Foot Utility Easement Located at the Southeast Corner of 21st Street North and Ridge Road. (District V)

MAPC Recommendation: Approve Vacation of the 10 foot utility easement.

Staff Recommendation: Approve Vacation of the 10 foot utility easement.

RECOMMENDED ACTION: Approve the Vacation Order; and authorize the necessary signatures.

- *44. V-2178 - Request to Vacate Street Right-of-Way Located in an Area North of Murdock and East of Topeka.
(District VI)

MAPC Recommendation: Approve Vacation of street right-of-way.

Staff Recommendation: Approve Vacation of street right-of-way.

RECOMMENDED ACTION: Accept the temporary water line easement; approve the Vacation Order; and authorize the necessary signatures.

- *45. D-1761 - Dedication of Utility Easement Located North of Kellogg and West of Maize Road. (District V)

MAPC Recommendation: Accept the dedication.

RECOMMENDED ACTION: Approve the dedication.

*46. S/D 95-34 Plat of Bay Country 2nd Addition Located South of Central, West of 119th Street West. (District V)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Documents and Plat; authorize the necessary signatures; and adopt the Resolutions.

*47. S/D 97-66 - Plat of Schmidt-Sheahan Addition Located North of 55th Street South and West of Rock Road.

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Documents and Plat; and authorize the necessary signatures.

48. S/D 98-100 - Plat of Daniel L. Claassen 1st Addition Located North of 55th Street South, on the East Side of Broadway. (District IV)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Documents and Plat; authorize the necessary signatures; adopt the Resolutions; and approve first reading of the Ordinance.

*49. S/D 98-120 - Plat of Dunnegan Industrial Addition Located on the North Side of MacArthur Road, West of K-15. (District III)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Documents and Plat; authorize the necessary signatures; and adopt the Resolutions.

*50. S/D 99-3 - Plat of Boeing MacArthur West Addition Located on the Southeast Corner of K-15 Highway and MacArthur Road.

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Documents and Plat; and authorize the necessary signatures;

- *51. S/D 99-19 - Plat of RV Products Addition Located on the Northeast Corner of St. Francis and 29th Street North.
(District VI)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat; and authorize the necessary signatures.

52. CU-523 - Request for Conditional Use to Allow Outdoor Entertainment and Recreation on 3.4 Acres, Located North of 21st Street North and East of Tyler Road. (District V)

MAPC Recommendation: Approve, subject to conditions.

CPO Recommendation: Deny

Staff Recommendation: Approve, subject to conditions.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve Conditional Use to allow outdoor entertainment and recreation, subject to the recommended conditions; OR

2. Return the application to the MAPC for reconsideration.

- *53. Z-3321 - Zone Change From "LC" Limited Commercial to "GC" General Commercial; and

DP-126 - Request for an Amendment to Parcel 3 of the Central Avenue Plaza Cup, Located North of Central and East of Edgemoor. (District II)

MAPC Recommendation: Approve the rezoning from "LC" to "GC" and approve the CUP amendment subject to conditions.

CPO Recommendation: Approve, subject to MAPD Staff recommendations.

Staff Recommendation: Approve the rezoning from "LC" to "GC", and approve the CUP amendment subject to conditions.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change and amendment to the CUP; place the Ordinance establishing the zone change on first reading; or

2. Return the application to the MAPC for reconsideration.

- *54. Z-3323 - Zone Change from "SF-6" Single-Family Residential to "GC" General Commercial, Located East of Broadway and South of 37th Street South. (District III)

MAPC Recommendation: Approve, subject to the additional provision of a protective overlay.

CPO Recommendation: Approve, subject to MAPD Staff recommendations.

Staff Recommendation: Approve, subject to the additional provisions of a protective overlay.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change to "GC", subject to the additional recommended provisions of a protective overlay district #56, and place the Ordinance establishing the zone change on first reading; OR
2. Return the application to the MAPC for reconsideration.

- *55. A 99-25 - Requests the Annexation of Property Generally Located at the Northwest Corner of MacArthur Road and K-15 Highway to the City of Wichita, Kansas. (District III)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

- *56. A 99-26 - Requests the Annexation of Property Generally Located ½ Mile North of Kellogg (U.S. HWY 54) on the East Side of 119th Street West to the City of Wichita, Kansas. (District V)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

57. A 99-22 - Adoption of a Resolution Establishing a Future Public Hearing on the Annexation of Eligible Properties, Described as Various Unincorporated Islands Within or Abutting the West North Parts of Wichita, to the City of Wichita, Kansas. (Districts V, VI)

RECOMMENDED ACTION: Accept the service extension plan; and adopt the Resolution.

Adjournment
